

Application No. 09/824,076

Art Group Unit 3624

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REMARKS

Claims 1-24 remain in this application.

Claims 1-24 stand rejected under 35 U.S.C. 112, first paragraph, for lacking enablement. Reconsideration of this rejection is respectfully requested.

Under 35 U.S.C. § 112, first paragraph, the standard for enablement is whether one of ordinary skill in the art would require more than routine experimentation in order to practice the invention from the materials disclosed. With respect to the disclosure of the present invention, it is respectfully submitted the Examples and Tables on pages 6 to 9, and description in the specification are sufficient to enable a programmer to develop the software for operating the subject system with no more than routine experimentation. The Examiner's attention is respectfully directed to MPEP 2106.02, which sets forth the criteria for disclosing computer-related inventions. The Examiner will note that this section of the MPEP, and the cases cited therein, clearly establish that the requirements for enablement do not require a particular form but merely sufficient detail to enable one of ordinary skill in the art to practice the invention with no more than routine experimentation. Applicants respectfully submit that this standard is met by the disclosure of record, and that a program could be written from these tables with no more than routine experimentation.

Claims 1-24 stand further rejected under 35 U.S.C., second paragraph, for lacking proper antecedent basis for "the computer". By this amendment "the" has been changed to --a--.

For the foregoing reasons, reconsideration of the rejections of record is respectfully requested and an early notice of allowance is earnestly solicited.

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Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mr. Anthony L. Birch (Reg. No. 26,122) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

By Anthony L. Birch  
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<u>Statement of Information</u>
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22202
Signature: <u>Anthony L. Birch</u>
Printed Name: <u>Anthony L. Birch</u>
Date: <u>5/12/04</u>